Registered No. 218
27.7.94.
CONSER FORESTS BOMBAY SOUTHERN CIRCLE
Divisional Forest Office Dharwar

ACT No. V OF 1894.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 2nd March, 1894.)

An Act to amend the Code of Civil Procedure.

XIV of 1882. WHEREAS it is expedient to amend the Code of Civil Procedure; It is hereby enacted as follows:—

Title and commencement.

1. (*1*) This Act may be called the Civil Procedure Code Amendment Act, 1894; and

(*2*) It shall come into force at once.

XIV of 1882.

Addition of new section after section 310 of Code.

2. After section 310 of the Code of Civil Procedure the following shall be inserted, namely:—

Application by judgment-debtor to set aside sale on deposit of debt.

"310A. Any person whose immoveable property has been sold under this Chapter may at any time within thirty days from the date of sale apply to have the sale set aside on his depositing in Court—

(*a*) for payment to the purchaser, a sum equal to five per centum of the purchase-money, and

(*b*) for payment to the decree-holder, the amount specified in the proclamation of sale as that for the recovery of which the sale was ordered, less any amount which may, since the date of such proclamation of sale, have been received by the decree-holder.

"If such deposit is made within the thirty days, the Court shall pass an order setting aside the sale:

"Provided that, if a person applies under the next following section to set aside the sale of his immoveable property, he shall not be entitled to make an application under this section.

"Nothing

[*Price one anna and three pies.*]

"Nothing in this section shall be construed to relieve the judgment-debtor from any liability he may be under in respect of costs and interest not covered by the proclamation of sale."

Amendment of section 315 of Code

3. In section 315 of the Code of Civil Procedure XIV of 1882. the figures and letter "310A" shall be inserted after the word "section" and before the figures "312".

Govt. of India Central Printing Office.—No. 602 L. D.—9-3-94.—9,000.—E. H.